The Saskatchewan Human Rights Commission
Annual Report 2009-2010

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Saskatchewan Human Rights Commission
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Mission Statement and Goals

The Saskatchewan Human Rights Commission promotes and protects the individual dignity, fundamental freedoms and equal rights of all members of the human family.

The Commission's goals, derived from *The Saskatchewan Human Rights Code*, are to:

- Discourage and eliminate discrimination;
- Investigate and resolve discrimination complaints quickly and effectively;
- Support and seek remedies for individuals and groups who suffer discrimination;
- Promote, approve and monitor equity programs;
- Promote research and education strategies to advance the principles of equality and diversity, and to encourage understanding of human rights issues;
- Promote leadership on public policy development and implementation related to human rights; and
- Promote advances in human rights legislation and protection.

Letter of Transmittal

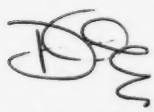
The Honourable Don Morgan, Q.C.
Minister of Justice
Legislative Building
Regina, Saskatchewan
S4S 0B3

Dear Minister Morgan,

In accordance with section 49 of *The Saskatchewan Human Rights Code*, it is my privilege to submit to you the 2009-2010 annual report of the Saskatchewan Human Rights Commission.

This report reflects the activities of the Commission from April 1, 2009 to March 31, 2010.

Sincerely,



Judge David M. Arnot
Chief Commissioner

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Message from the Chief Commissioner

On August 7, 2009, the *Saskatchewan Human Rights Code* turned 30. This came in a year remarkable for the extensive attention human rights issues garnered in the media and among the Canadian public. Topics such as freedom of expression, competing rights, reasonable accommodation and secularism have given rise to significant debate across Canada. Debates of this nature are important in our democracy and are particularly valuable for organizations like ours. These debates provide opportunity for reflection, not only on how Canadian values and perspectives have shaped the path we have followed, but also to help identify the path ahead.

Moving forward into the fourth decade with our *Code* brought an opportunity for the Commission to review what has worked well over time and which areas of our work could be enhanced by renewed energy and a new focus. Staff were engaged in various activities that reviewed our current *Code* and operations with a view to determine if there were better ways to achieve the *Code's* purposes. Over the year a new Four Pillar focus emerged with a vision for the Commission to be a model of the best practices from across Canada. This vision involves the retention of our own best practices and the incorporation of current best practices from other provinces.

The **Four Pillars** were identified as:

- Continued support for our own best practice of **effective complaints processing** including investigation, mediation and prosecution of complaints as well as performing the gatekeeper role to the Saskatchewan Human Rights Tribunal which adjudicates provincial human rights complaints.
- The adoption of the Manitoba best practice of **directed mediation** meaning that, where a reasonable offer of settlement is made by either party to the complaint, the Commission could direct the parties to settle rather than pursue more expensive litigation which often leads to unsatisfactory results for both parties.
- Further development of the Ontario best practice of **systemic advocacy.** This approach facilitates more broad-based changes to discriminatory systems affecting many people, rather than simply focusing on an individual complaint-based model which tends to resolve complaints of discrimination one case at a time.
- Creating a broad understanding of the **Rights, Responsibilities and Respect** that come with citizenship through the development of a strategic pedagogy for **civics education** in the pre K-12 provincial school system. This preventative education focus would seek to reduce the democratic deficit of understanding that has been created over several decades. All citizens need to understand the core Canadian values that underpin the structure and success of our peaceful and democratic society. The Commission's education program is not funded to facilitate broad based preventative education.

Looking to the future, I envision these Four Pillars as the guide posts for the Commission's road ahead. We will be asking for the support and assistance of government as we further enhance the protections of the *Code* and the efficiencies of our operations. I believe this new focus in the long term will result in a decrease in the number and type of human rights complaints, greater knowledge and understanding about Canadian human rights and responsibilities, and the preservation of our Canadian core values.

I am grateful for the hard work of Commission staff who participated in a number of activities above and beyond their regular work. Their knowledge and energy has been invaluable as we undertook both a *Code* and internal review. The Commission board members have also provided support and insight on various issues that arose in my first full year as Chief Commissioner. An exciting year lies ahead of us.

Judge David M. Arnot
Chief Commissioner

Connecting with Our Community 2010

People with Disabilities

The Commission, along with many community partners in Regina's Disability Community, held a special event at Wascana Rehabilitation Centre, December 3, 2009, to mark the *International Day for Persons with Disabilities*. The City of Regina used this opportunity to raise awareness of disability parking placard services for drivers with mobility disabilities. Those who attended were treated to the humour of David Granirer, a Vancouver based consultant, counselor and author featuring his innovative program *Stand Up For Mental Health*. The Program uses humour and comedy as a therapeutic tool to build personal confidence in men and women. Participants learned how laughing at setbacks can help you rise above them.

Participants enjoy the celebration for the International Day for Persons with Disabilities at Wascana Rehabilitation Centre in Regina, December 3, 2009.

Wheelchair Users Launch New Accessible Podium

A pioneering step was taken by the provincial government in the unveiling of a wheelchair accessible podium. This was the first of its kind designed and built by government carpenters after Premier Brad Wall witnessed paralympic medalist Heather Kuttai cracking jokes about having no access to the podium during a speech in Saskatoon in 2009. The podium looks like a regular podium but contains a hydraulic mechanism which raises or lowers it. One podium is now at the Saskatchewan legislature and another is in Saskatoon. The podiums are available for groups and individuals to use free of charge. The Commission has obtained the plans for the podium should any one wish to recreate this valuable tool.

Heather Kuttai and her children Patrick and Chelsea with Rebecca McLellan, Manager of Operations for the SHRC, November 25, 2009.

Reaching New Canadians

Judge David Arnot, Chief Commissioner, brought greetings at the Immigration Symposium on December 4th and 5th in Saskatoon. He highlighted the Commission's work with the Ministry of Advanced Education Employment and Labour, Immigration Services Division to produce an information fact sheet about discrimination and the Saskatchewan Human Rights Code. The fact sheet will be translated into twenty-two languages.

Judge David Arnot, Chief Commissioner, with Sam Sambasivan at the Immigration Symposium in Saskatoon, December 2009.

Heather Monus, Education and Equity Advisor talks to newcomers and their families at an English as a second language class, Estevan, Sk, February 2010.

New Canadians were also the focus of a partnership between the Commission and the Ministry of Advanced Education, Employment and Labour. The Ministry is working with the Commission to facilitate the delivery of group orientation sessions to temporary and immigrant workers. The sessions will provide basic critical information on human rights in the newcomers' first language. The sessions and accompanying written material will encourage workers to access Commission services to assist with the relevant concerns and difficulties that newcomers often face.

Andrew Langgard and Stella Juma-Anderson from the department of Advanced Education Employment and Labour work with Rebecca McLellan and Heather Monus from the SHRC on the human rights fact sheet translation project, March 2010.

The Commission was also pleased to provide information on Saskatchewan human rights law directly to newcomers through educational workshops at The Regina Open Door Society, Saskatoon Open Door Society, Immigrant Women of Saskatoon, Saskatchewan Intercultural Association and The Global Gathering Place. Providing this service directly to immigrants and their families in the agencies and community settings with which they are familiar has been effective.

Human Rights Seminar Series

This year the Commission focused on bringing information about the Saskatchewan Human Rights Code to smaller communities such as Moose Jaw, Estevan, Swift Current, Meadow Lake, Kindersley, Melfort as well as Regina. The Human Rights in the Workplace seminars were attended by employers, employees, human resource and health care professionals and union representatives. Over 150 people attended the introductory sessions which also looked at the duty to accommodate as well as Canadian and provincial Human rights case law.

Seminar participants gather SHRC publications and posters at the Human Rights Code Spring Seminar in Swift Current, May 2009.

PLEA Partnership – Duty to Accommodate

The Commission partnered once again with the Public Legal Education Association to present a full-day seminar in Saskatoon on the duty to accommodate. Over 50 participants attended the session which addressed discrimination, harassment and racism. SHRC staff also presented on the state of the law regarding drug and alcohol testing, investigating and mediating complaints.

Sharon Peterson, Ferne Hebig and Joel Janow of PLEA greet participants at the SHRC/PLEA seminar in Saskatoon, June 2009.

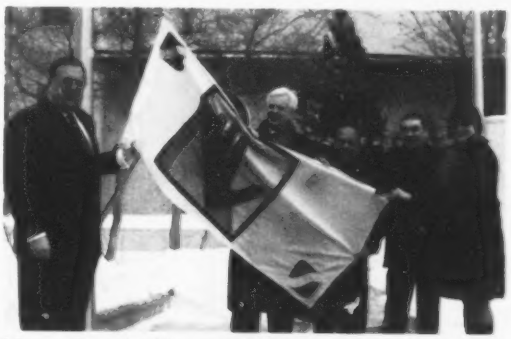
Celebrating Women

The experience of Grandmothers caring for grandchildren was the theme of this year's celebration marking *International Women's Day*, March 8th, in Regina. The celebration included the viewing of the award winning film *For the Next 7 Generations: 13 Indigenous Grandmothers Weaving a World that Works*. Speakers for the day included Margaret Akan of All Nations Hope AIDS Network Inc. and Dr. Dale Dewar, Past President of Physicians for Global Survival and medical columnist on CBC radio. A special panel of local First Nations and African grandmothers spoke about their challenges and the hopes for their communities.

Participants listen to Margaret Akan discuss her experience as a First Nations Woman in Saskatchewan at the International Women's Day Celebration in Regina, March 8, 2010.

Cultural Diversity Month

Celebrations were held in Regina and Saskatoon to mark the International Day for the Elimination of Racial Discrimination, March 21st . The Commission participated in a full day event in Regina as well as providing an anti-racism workshop at SIAST, Palliser Campus, Moose Jaw. In Saskatoon, the city launched Cultural Diversity and Race Relations Month on March 1st with a ceremony in city council chambers and the raising of the cultural diversity and race relations flag at City Hall Civic Square.

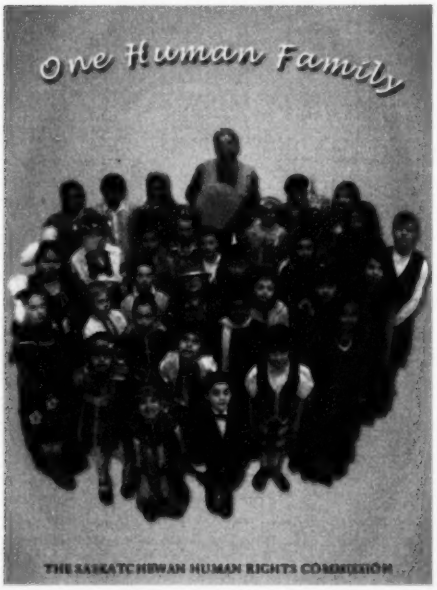


Mayor Don Atchison, Chief Commissioner Arnot, Dr. Shakeel Akhtar, Gordon Martell and Patricia Prouse raising the cultural diversity and race relations flag at Saskatoon City Hall Civic Square, March 2010.

Cultural performers from the Caribe Folk Arts Dance Troupe entertain the public as they learn about Black culture in Saskatchewan at the Black History Month Celebration in Regina, Feb 24, 2010.

Celebrating Saskatchewan's Black History

The Commission, along with community partner Information Services Corporation, marked Black History Month on February 24th in Regina. During a noon hour celebration, the public was invited to learn about black history through performances by the Caribe Steel Orchestra, African drum groups and the Caribe Folk Arts Dance Troupe. Food vendors were also there for people to sample Ethiopian, Belizean and African cuisine.



One Human Family Poster

The Commission was pleased to launch a beautiful new educational poster with a made-in-Saskatchewan flavour. The poster depicts musician Joseph Naytowhow with Saskatchewan children in their respective multicultural dress. The photograph was taken at the Saskatoon Indian and Métis Friendship Centre in Saskatoon and was acquired by the Commission for communication purposes. The slogan, on the poster "One Human Family," denotes the Commission's philosophy that we are all equal in dignity and rights.

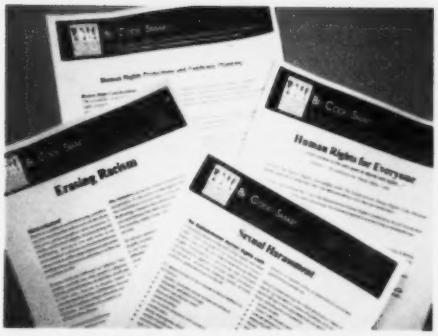
Cultural performers entertain the crowd at celebrations in Regina, March 21, 2010.

Spring Free From Racism

Family Day Celebration was held in Regina on March 21st to mark the *International Day for the Elimination of Racial Discrimination*. The Family Day is used to promote acceptance and celebration of the different cultures within the City of Regina. The day included cultural dance and musical performances, displays and food booths and was free to the public. The Spring Free from Racism Committee hopes this celebration will educate and foster respect, dignity, equality and justice.

Human Rights and Pandemic Planning

This past fall and winter, the possibility of an H1N1 Influenza pandemic raised a number of concerns with respect to human rights protections. The Commission wanted to support proactive employers in their pandemic response planning and developed a new fact sheet in anticipation of a possible H1N1influenza pandemic. The fact sheet covers employee profiling, disability due to H1N1, accommodating family and marital status and other considerations in the event of an H1N1 Influenza pandemic. The fact sheet is available on the Commission web site at **www.shrc.gov.sk.ca**



A variety of fact sheets are available on the Commission website under Publications and Resources.

Aboriginal Community

National Aboriginal Day celebrations in Saskatoon were held on June 21st in Friendship Park. The weather cooperated and approximately eight hundred people enjoyed the day with entertainment provided by Aboriginal singers, hoop dancers, Métis fiddlers and jiggers. Those attending also enjoyed a delicious meal which included bannock, soup, fruit and cake. Judge David Arnot, Chief Commissioner brought greetings to the festivities and spoke about the importance and the connection between treaties and human rights.

Chief Commissioner Arnot, with Gabe Lafond, Metis Nation of Saskatchewan and Mayor Don Atchison enjoying the celebration of National Aboriginal Day in Saskatoon, June 21, 2009.

National Aboriginal Day celebrations in Regina, June 21st, featured a fun-filled exciting day showcasing a spectacular line up of traditional dance, song, children's activities, a pancake breakfast and professional wrestling. The SHRC recognizes National Aboriginal Day as an opportunity to celebrate the Aboriginal culture and learn more about the stories and triumphs of First Nations, Métis and Inuit people. Setting aside a day for Aboriginal Peoples is part of the wider recognition of Aboriginal Peoples' important place within the fabric of Saskatchewan and their ongoing contributions as First Peoples.

Commission staff attended the Congress of Aboriginal Peoples consultation on section 67 changes to the Canadian Human Rights Act. The focus of the meeting was on the jurisdictional question and when the Canadian Act might apply to Aboriginal affairs. Commission staff in both Regina and Saskatoon presented on Saskatchewan's jurisdiction, the provisions of the Saskatchewan Human Rights Code and how the complaint process works.

Heather Monus, Education and Equity Advisor with participants of the Congress of Aboriginal People's consultation on changes to the Canadian Human Rights Code, Feb 2010.

Investigator R. Newkirk and his son Amoz at the Olympic torch relay, Jan 2010.

Supervisor of Investigations and Mediations, Bill Rafoss with staff from the Mongolian Human Rights Commission in Ulaanbaatar Mongolia in May 2009.

Bill Rafoss, Supervisor of Investigations and Mediation with Alice Nderitu of the Kenya National Cohesion and Integration Commission in Nairobi Kenya, March 2010.

SHRC Staff Catch the International Spirit

Beyond office hours, Commission staff show their commitment to international human rights and the global community.

Because of outstanding community spirit, the Commission's Regina Investigator, Reggie Newkirk, was selected to be a torchbearer for the cross-Canada Olympic torch relay carrying near Swift Current on route 103, Sunday, January 10th. His family cheered him on, along with crowds of spectators. Newkirk sees the range of torchbearers chosen to represent Canada as "a microcosm of our multicultural experience, united in the Olympic spirit". He remembers this experience with pride as one of the greatest moments of his life. The Commission was proud to have one of their staff participating in this positive global experience.

The Saskatchewan Human Rights Commission had visitors from Spain, Brazil and Mongolia this year. Our guests were interested in our work as they do similar work in their countries. Bill Rafoss, Supervisor of Mediations and Investigations, has also undertaken a number of international missions in recent years connecting with human rights agencies in Africa and Asia.

In May 2009 while on vacation, Bill Rafoss traveled to the Mongolia National Human Rights Commission to talk about training human rights investigators. In March 2010, Rafoss traveled to Kenya to meet with representatives of the Kenya National Commission on Human Rights. While there, he shared ideas on investigation strategies and learned about how the Kenya National Commission conducts its investigations. The Kenyans' were particularly interested in Saskatchewan's approach to mediation.

Welcoming Workplaces & Educational Institutions

If a person, business or organization wants to implement a program or activity to ameliorate the conditions of disadvantage for an individual or group they may do so with the assistance of the Saskatchewan Human Rights Commission. Special programs are based on the principle that to promote effective equality and eliminate discrimination it may be necessary to treat individuals or groups differently in ways that recognize their actual needs and realities. Today, 38 employers and twelve school districts have taken steps to achieve equality in workplaces and educational institutions across the province. This commitment has meant a respectful school and equitable workplace for thousands of Saskatchewan workers and students.

Equity Works

Saskatchewan employers have undertaken these major employment equity initiatives to achieve a workforce that is representative of the diversity of the Saskatchewan population. These programs involve the identification and elimination of systemic barriers to employment opportunities that affect specific groups who have experienced historical disadvantage. Equity in employment also means the implementation of special measures to achieve and maintain a workforce that is, at all levels, representative. The goal is to ensure the entire Saskatchewan workforce has equal access to jobs, a positive working environment and the opportunity to participate and contribute fully in their workplaces. In assisting with these important efforts, the commission used this past year to compile a document of 'Best Practices in Equity' to highlight the made in Saskatchewan approaches of equity employers in addressing systemic discrimination. This resource guide will be available in 2010.

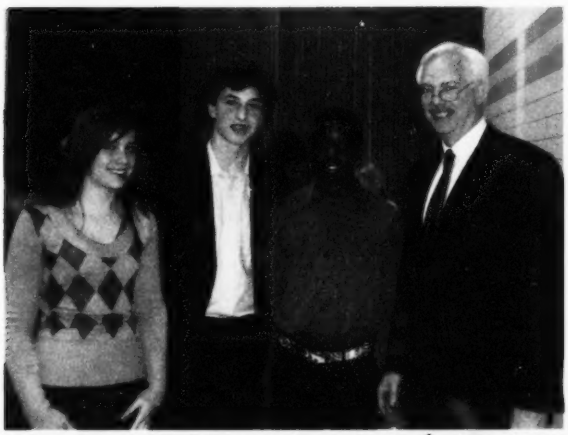
Class Act: Commission Recognizes École Victoria School

The Saskatchewan Human Rights Commission offers congratulations this year to the students, staff and School Community Council of École Victoria School (EVS) in Saskatoon for formally celebrating cultural diversity and addressing issues of racism in the month of March.
EVS kicked off a month of events including cultural performances, video presentations, guest speakers, an art workshop for the City of Saskatoon's Living in Harmony contest, family potlucks as well as various other key events within the classrooms. Along with community partners EVS proudly hosted the *All One People* Film Festival at the Broadway Theatre, featuring films on anti-racism and cultural diversity.

Judge Arnot, Chief Commissioner presenting the "One Human Family," poster to Chris Thomson, School Community Council President, Don McBean, Vice Principal and Harold Robertson, Principal in Saskatoon, March 2010.

The Commission presents the "One Human Family," poster to Principal Bauche, students and teacher Ms. Martin of Georges Vanier school in recognition of the their commitment to diversity.

The Commission recognized Georges Vanier School for its ongoing commitment to cultural diversity. One example is the school's national award-winning video "Celebrate Our Differences." Students, with the help of their teacher Ms. Martin, created the video which won the 2008 March 21st *Racism. Stop It!* video competition. The school community organized other anti-racism activities such as "Take Down the Wall" which represented breaking down the wall racism creates in society. The school students built a wall of sponges, complete with graffiti and invited the Saskatoon Fire Chief to break down this symbolic wall of racism.



Judge Arnot, Chief Commissioner thanks École College Park School students who along with the school community organized a commemoration day ceremony for humanitarian Raoul Wallenburg in January 2010.

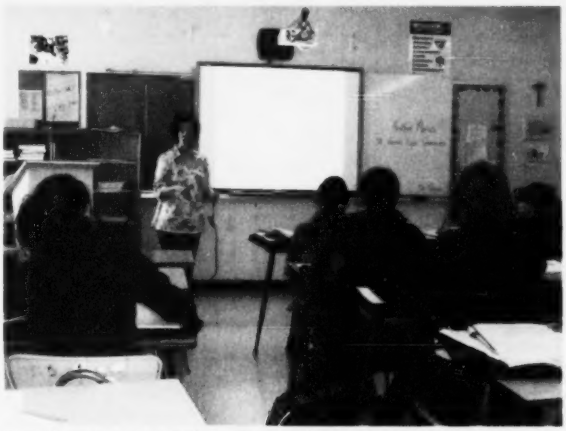
Raoul Wallenburg Commemorative Day at École College Park School

Judge Arnot, Chief Commissioner, thanks students at École College Park School for their commemoration ceremony of Canada's first honourary citizen, Raoul Wallenburg. Wallenburg, a Swedish diplomat, located in Budapest Hungary is remembered every January for saving thousands of Jewish lives during the Holocaust. Grade eight École College Park student, Elie Fenyes told a compelling and emotional personal story about how his grandmother, as a young Jewish girl, was saved by Raoul Wallenburg's heroism during World War II.

The students, staff and parents at École College Park worked in partnership with Congregation Agudas Israel to host this year's event.

Empowering Youth

The potential to be bullied, harassed or the subject of a hate crime is unfortunately one of the realities Saskatchewan youth face. Developing the skills to deal with these situations is critical to personal well-being. Knowing one's rights can be a motivator to make changes in school, community and daily life that counteract discriminatory attitudes and actions. The Commission worked with youth on analyzing the challenges youth face and considering available options, conflict resolution, learning about human rights and dealing effectively with bullying and harassment. Presentations to youth where provided at high schools including Campbell Collegiate and Miller High School in Regina and Nutana Collegiate in Saskatoon.



Heather Monus, Education and Equity Advisor presents to students at Miller High School about youth human rights and responsibilities, February 10, 2010.

What does it mean to be a citizen? Should a Charter of Responsibilities accompany our Charter of Rights? If so, what would it look like? These are the questions that were put to an International Baccalaureate class at Campbell Collegiate in Regina under the leadership of their teacher/advisor Sherry Van Hesteren. The project was undertaken with hard work and enthusiasm and led to the students' development of a Charter of Responsibilities. Having a youth perspective on these critical issues is valuable for the Commission as we look to explore ways of enhancing civics education for residents of the province.

Students of Campbell Collegiate in Regina talk with Chief Commissioner Arnot, February 2010.

Resolving Complaints

A significant shift in the work of the unit this past year was the increasing number of files that were resolved through the settlement process. *The Saskatchewan Human Rights Code* authorizes the Commission to mediate, negotiate, and settle complaints that are brought to the agency. This year, 75 of the 196 files that were concluded were resolved through the settlement process (38.2%) and more files were concluded by way of settlement than those concluded by investigation. The largest group of these files was concluded by Commission mediators, but more and more complaints are being resolved by Investigators during the course of an investigation as well. Others have been resolved at the intake stage and by legal staff later on in the process.

The Commission has been offering mediation or early resolution since 1993. Once a complaint is made to the Commission, the parties are encouraged to meet with a mediator to resolve the issue. This may be done face-to-face, or through a shuttle process. If mediation or early resolution cannot resolve the matter, the file will go to an Investigator, who will interview witnesses and gather appropriate documents. It is during this process that the Commission is seeing the greatest growth in terms of one party or both asking to resolve the issue. Investigators are given limited authority to resolve disputes so long as they do so in a manner that does not compromise their ability to conclude the investigation, should that be necessary. Settlements will usually achieve some redress for the complainant but in a manner with which the respondent can agree.

This year also saw a resumption of the Commission's conciliation program. 'Conciliation' refers to settlement attempts after the matter has been investigated. Conciliation efforts are usually directed by the Chief Commissioner as a last minute attempt to avoid the matter going to a public hearing. This initiative works well with the Commission's systemic advocacy initiative in that staff are able to utilize their expertise in human rights to achieve systemic remedies that will possibly prevent similar types of complaints in the future.

The Commission's investigation procedures have been recognized as one of the best practices within our Four Pillars business focus. With a relatively small staff of 7.5 positions, the Mediations and Investigations Unit is able to stay on top of an active caseload and often achieves a satisfactory remedy for both complainants and respondents.

Settlements

Employee approached by doctor

A young woman was employed as a receptionist at a medical clinic. She was also the doctor's patient. It was alleged that during a medical exam the doctor revealed his sexual attraction to her and leaned in to her body as if to kiss her. The woman objected and later resigned as she felt too uncomfortable to continue to work at the clinic.

In settling the complaint, the doctor agreed to pay $8,000 in compensation in addition to receiving sensitivity training with respect to gender, boundaries and harassment. The clinic also adopted a policy of commitment to a harassment-free workplace which is handed out to each new employee.

Injured worker dismissed

A tradesperson injured his back on the job. He later alleged discrimination based on disability and age. He stated that his employer had blocked his recovery at every turn. This included ignoring a doctor's request that the employee perform light duties for some time upon returning to work as well as trying to delay and then appeal his worker's compensation claim at every stage. The employee continued to experience back problems and was advised by his doctor to be off work for a couple of weeks. The employer responded to this extra time off work for injury by sending the employee two written warnings and then terminating the employee, at which point he was also advised that he was considered too old for the job.

The employer settled the complaint by agreeing to pay the terminated employee $8000 for lost wages and a further $7000 for damage to dignity, feelings and self-respect. Since this time, the employer has changed the processes it uses to deal with injured and disabled employees.

Employee suffering depression terminated

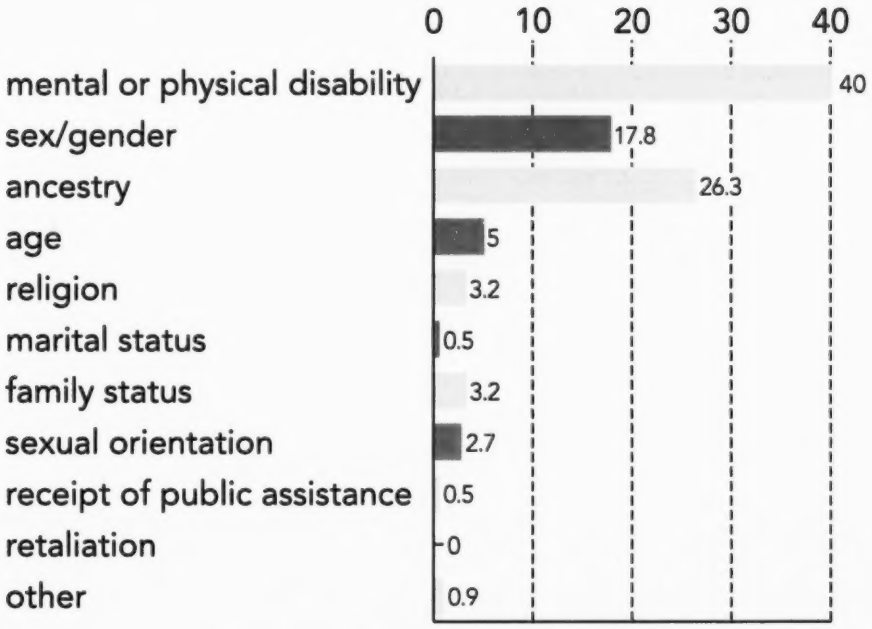
An employee who had missed a lot of work advised his employer of feeling depressed. He accessed the counselling services offered through the employer as well as attended to his physician's office where he was prescribed medication. He alleged that while adjusting to his new medication and taking steps to attempt to stabilize his disability, his employer required that he attend a disciplinary meeting where he was required to sign an agreement to address his extensive absenteeism. He continued to attend medical appointments and was subsequently diagnosed by a psychiatrist as having a mental disability. There were further absences. About two weeks after the diagnosis, he was called to a meeting by his supervisor and his employment was terminated due to his disability related absences.

The complaint was settled when the employer agreed to recall the complainant back to work while reserving the right to medically determine if it is safe for the employee to work in the position he held. A payment of $5000 to the complainant was also agreed to for the purposes of settlement. The employee agreed to: a six month probation period at his previous wage level; to provide a medical note regarding his fitness to return to work; and to meet the respondent's attendance management standards as set out by policy.

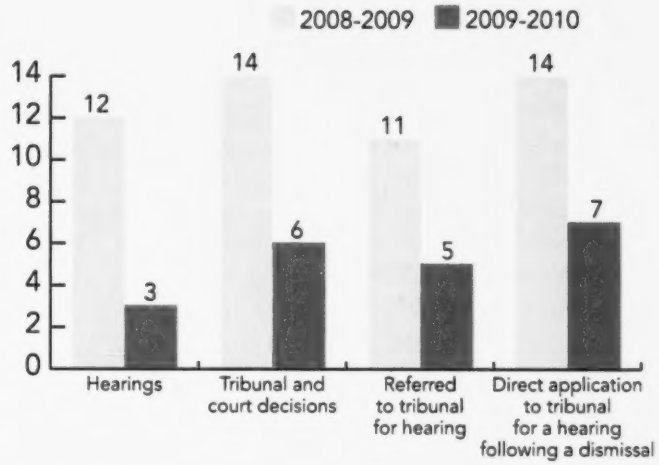
Worker resigns after finding workplace racist

A hotel security officer who was Aboriginal witnessed a co-worker say extremely stereotypical and derogatory things about Aboriginal people after an Aboriginal girl had run into the hotel lobby in distress. After assisting the girl the security officer spoke to his co-worker about the incident. The co-worker continued to have no regrets about what he said. It was alleged that when the security officer passed this information along to management they simply got upset with him. Being Aboriginal, the man felt the hotel environment was racist and decided he had no choice but to resign. The complaint was settled when the security officer accepted a verbal apology from management, and a settlement of $1500 damage to dignity, feelings and self-respect.

Grounds of Discrimination



Legal Activities



Legal research and advice is an integral part of the Commission's work. The problems people bring to the Commission can be complex or involve new factual issues. Commission staff members seek legal advice throughout the complaint process to ensure that the parties understand how the law applies to their situation. If a complaint is not dismissed and cannot be resolved through mediation or otherwise, it must be referred to the Saskatchewan Human Rights Tribunal (SHRT) for formal hearing and adjudication. The Commission plays a neutral and objective role in investigations, but adopts an advocacy role and pursues a remedy on behalf of the complainant once the Chief Commissioner decides after full investigation that a complaint has merit. This is because of the public interest in promoting and protecting human rights, and because of the Commission's broad responsibilities under the *Code*.

The Commission will continue to seek a negotiated settlement after a case is directed to a hearing. If the parties are unable to negotiate their own settlement they may ask a Tribunal member to act as a neutral mediator. If a settlement is not reached, the case proceeds to a hearing. A Tribunal decision can be appealed to the court system on questions of law, and some Commission cases have been appealed up to the level of the Supreme Court of Canada.

This year, the Commission engaged in two legal actions of major significance. As described in greater detail below, the Commission obtained intervener status in the Court of Appeal's hearing on proposed changes to *The Marriage Act*. It also launched an application to appeal a hate speech decision to the Supreme Court of Canada.

Old, New and Developing Issues

Although most human rights complaints are resolved without litigation, the cases which are referred to hearings receive the greatest public attention. This year, the Commission noted several patterns among post-investigation settlements and hearing decisions.

Discrimination because of sexual harassment, pregnancy, ancestry and disability – some of the "older" forms of discrimination prohibited by law – continued to represent the bulk of human rights decisions and post-investigation settlements in 2009-2010. These familiar patterns of discrimination continue to persist, despite the fact that they have been illegal for many years. Discrimination because of race or ancestry was

first prohibited by *The Saskatchewan Bill of Rights Act* in 1947; sex discrimination has been illegal in Saskatchewan since the 1970s; and discrimination because of disability was first addressed by the current *Human Rights Code* in 1979. The Commission is concerned that these categories of discrimination continue to dominate its complaint workload. It believes broad systemic and educational measures are needed to create a major shift towards a provincial culture of equality, diversity and mutual respect.

While most human rights complaints allege a single reason for discrimination, discrimination can also flow from a combination of stereotypes and obstacles. Such an "intersection" of prohibited grounds was illustrated this year in the N.T. complaint against a Saskatoon pharmacy and one of its employees. In that case, the complainant alleged that the respondents discriminated against her son and his friend because of their youth, gender and Aboriginal ancestry.

As in 2008-2009, the Commission's most prominent cases involved the sensitive and controversial issue of when and how competing rights to freedom of religion, freedom of expression and freedom from discrimination should be balanced. In the decisions released this year, the courts reached different conclusions in different contexts.

In July 2009, the Saskatchewan Court of Queen's Bench held in *Nichols v M.J.* that it is discriminatory for marriage commissioners to refuse, on the basis of their personal religious beliefs, to marry same sex couples. In February 2010, the Saskatchewan Court of Appeal found that the *Code's* prohibition against hate speech was an unreasonable limitation on William Whatcott's freedom of speech and religion. The Court overturned the decisions of a human rights tribunal and the Court of Queen's Bench that Mr. Whatcott violated section 14(b) of the *Code* by delivering flyers to the complainants' homes which promoted hatred against individuals because of their sexual orientation. As discussed below, further court actions are pending with regard to both decisions.

Post-Investigation Settlements

At all stages, the Commission encourages the settlement of human rights complaints by means of negotiated agreements which are acceptable to all parties. The strong emphasis on mediation is reflected in this year's statistics. The Commission settled three human rights complaints in 2009-2010 after directing them to a hearing, and a fourth part-way through the hearing itself.[1] In comparison, three post-hearing decisions were released by the Saskatchewan Human Rights Tribunal in 2009-2010 with regard to complaints referred to it by the Commission.[2] As is commonly the case with negotiated settlements, all agreements were made without a retraction by the complainants of their allegations or an admission of liability by the respondents.

T.P. v. Humpty's Family Restaurant and R.D.

T.P. alleged that she was sexually harassed while working as a server at Humpty's Family Restaurant in Prince Albert by R.D., who was her supervisor and a partial owner of the restaurant. She alleged that R.D. made unwanted sexual comments to her, frequently asked her to meet with him to have sex, and left her up to ten text messages per day on her personal phone. The complainant said she felt compelled to quit her job because the harassment persisted despite her request that it stop, and that she required medical treatment because of the harassment. In settlement of her complaint, T.P. accepted $3,000 as compensation for injury to feelings, dignity and self-respect.

1 In addition, the Saskatchewan Human Rights Tribunal settled at the pre-hearing stage a complaint of discrimination based on disability which SHRT forwarded to a hearing following a review of the Chief Commissioner's decision to dismiss it. As the SHRC has no further involvement in complaints which it dismisses, it will not summarize the settlement in this report.

2 Two Tribunal decisions involved complaints forwarded to a hearing by a Tribunal member following a review of the Chief Commissioner's decision to dismiss them. Both complaints alleged discrimination because of disability.

Termination because of Pregnancy

The complainant worked as a cashier and stocker for a grocery store for approximately one year before becoming pregnant. She was terminated soon after informing her employer of her pregnancy. The employer attributed her termination to poor work performance; however, no performance issues had been raised with the complainant prior to her pregnancy. The complainant accepted $5,000 compensation for injury to feelings, dignity and self-respect in settlement of her complaint that she was terminated because of her pregnancy.

Discrimination because of Age, Ancestry, and Sex

N.T. filed a complaint of discrimination on behalf of her son and his friend against a Saskatoon pharmacy and D.G., one of its employees, alleging discrimination in the provision of a public service on the basis of age, ancestry and sex. The two male, Aboriginal youths were 12 and 11 years of age respectively on the date in question. N.T. said that, shortly after the youths entered the store, D.G. told them they were banned from the store because of a shoplifting incident which had occurred a month earlier. The complainant stated that she spoke to D.G. immediately afterwards, and N.G. said she had witnessed the complainant's son shoplifting from the store one month earlier and believed him to be part of a group of boys who had shoplifted there previously. The complainant stated that her son was not involved in the alleged incidents, and alleged that D.G. misidentified him because of his age, ancestry and sex.

In settlement of the complaint, the respondents agreed to provide a written apology to the two youths, to provide each of them with $1,500 compensation, and to provide $500 to each of W.P. Bate Community School and the Tamarack Foundation.

Carlson v. Mac's Up Enterprises Inc.

Tracy Carlson, who was employed as a grill person in the respondent's restaurant, alleged that her hours of work were reduced shortly after she informed her employer that she was pregnant. She further alleged that she was terminated approximately two months later when she told her employer her doctor required her to take one week off work because of medical complications related to pregnancy. After a hearing into her complaint had begun, the parties agreed upon on a settlement which included a payment to Ms. Carlson of $2,000.

Tribunal Decisions

Fraser v. SecurTek Monitoring Solutions Inc.

Gerry Ann Fraser is the grandmother and adoptive mother of a son who has a disability. She was employed as a Corporate Training Manager by Securtek Monitoring Solutions Inc. for approximately 6 months in 2004. The complainant alleged that in October 2004, when her son became sick, she informed her employer that she might need to accompany him to Edmonton for medical treatment. Approximately two days later, she was terminated. The Tribunal held that the complainant was not terminated because of her family status, as alleged, but because she was unsuitable for her position. The Tribunal further noted that the complainant never specifically asked her employer to accommodate her family status, but instead placed pressure on herself by attempting to perform above and beyond her employer's expectations because she was extremely committed to her job.

Fadlelmawla v. The Real Canadian Superstore

Salah Fadlelmawla is a person of African ancestry who went to a Superstore in Saskatoon with two friends on approximately June 12, 2006 to buy supplies for an outing to Pike Lake. The complainant selected meat for the event and then went to pick up some knives while his friends shopped for other items. He stated that, while in the housewares department, he met another man of African ancestry. Although he did not know this individual, the two greeted each other as is customary when meeting a person of similar ancestry. The complainant alleged that he was then accosted by a Loss Prevention Officer (LPO) who accused him of stealing and told him to leave the store. It appeared, on the evidence presented, that the second man may have taken some meat from the complainant's basket on the floor and concealed it in his clothing. The Tribunal member hearing the case did not dispute the veracity of the complainant's evidence, but concluded that the complainant was mistaken in his inference that the LPO chose to follow and accuse him because of his race, ancestry or skin colour. The Tribunal accepted the evidence of the respondent that the LPO acted in accordance with her training, which suggested a common pattern of shoplifting was to purchase high-cost items such as meat and then move to another department to transfer items to an accomplice. The Tribunal also found it reasonable within that context for the LPO to suspect that the complainant knew the other man; was speaking with him in another language to exclude her understanding of their conversation; and was collaborating with him to defraud the store.

C.L. v. Howard Johnson Inn, operated by Empire Investments Corporation, and J.P.

C.L. complained that J.P. discriminated against her during a job interview and in his manner of offering her employment, contrary to sections 19 and 16 of the *Code*. C.L. was a student at the time of the incident in question and J.P. was the principal shareholder of Empire Investments Corporation. C.L. alleged that, while she was in the process of paying for her food order at the respondent's restaurant, J.P asked if she was interested in a summer job and invited her to his office to discuss the matter further. She said that, once they were in his office, J.P. subjected her to unwanted and unsolicited comments and touching of a sexual nature. For example, he touched her hands while saying he wanted to take her on a date, gave her his telephone number, and offered to drive her home. He asked her age and when she replied he said something like "That is old enough to know what to do."

The evidence presented by the parties at the hearing was contradictory, and the Tribunal recognized that incidents of sexual harassment seldom occur before witnesses. The testimony of two former employees was that J.P. had made sexually inappropriate remarks to them as well, and their evidence assisted the Tribunal in its assessment of the credibility of C.L. and J.P. The Tribunal found that J.P.'s conduct in the interview created a hostile environment for C.L., the potential employee. In its view, C.L. had reason to fear that if she accepted the job offer she would be expected to provide sexual favours or would be subjected to sexual harassment. C.L. was frightened by the experience and consequently did not pursue a summer job. The Tribunal awarded C.L. $2000 compensation for the harm done to her. It also ordered the respondents to pay legal costs of $500 to the commission and $1000 to C.L. Although awards of costs are rarely ordered in human rights proceedings, the Tribunal noted that J.P. had engaged in behaviour aimed at intimidating witnesses and interfering with the hearing process. J.P. has appealed this decision to the Court of Queen's Bench.

Court Decisions

Howard Johnson Inn v. Saskatchewan Human Rights Tribunal, Saskatchewan Court of Queen's Bench, 25 February 2010

In 2008, the Saskatchewan Human Rights Tribunal determined that John Pontes, Manager of the Howard Johnson Inn, discriminated against Leslie Tataquason because of his Aboriginal ancestry when he ejected him from his business premises. Mr. Tataquason said he was having coffee as a paying customer in the hotel restaurant where his wife was employed when Mr. Pontes said to him in an aggressive manner "Can't you see she's working? Get out, this isn't the friendship centre!" The Tribunal awarded Mr. Tataquason $7000 as compensation for the injury to dignity he experienced as a result of the discriminatory act. Mr. Pontes appealed to the Court of Queen's Bench. In rejecting Mr. Pontes' allegation that the Tribunal was biased, the Court held that Mr. Pontes waived his right to make this allegation when he failed to attend the Tribunal hearing. The Court also found that the *Code* provision prohibiting discrimination in the provision of a public service was not unconstitutional because of vagueness. The Court said that the Tribunal's decision on the facts, its assessment of credibility and its compensation award were reasonable. Mr. Pontes has appealed this decision to the Saskatchewan Court of Appeal.

Nichols v M.J., Saskatchewan Court of Queen's Bench, 17 July 2009

The Court of Queen's Bench dismissed Mr. Nichols' appeal from the tribunal decision that he discriminated against the complainant, M.J., when he declined to perform a same sex marriage because of his religious beliefs. The Court said that when marriage commissioners perform civil marriages they are implementing a specific government scheme and are, in effect, acting as government. It found that Mr. Nichols has the right to religious freedom in his personal capacity, but cannot act on his religious views in his capacity as a marriage commissioner if doing so results in the discriminatory refusal of a government service to a member of the public.

Mr. Nichols launched an appeal of this decision but his appeal was adjourned indefinitely when the Government of Saskatchewan asked the Court of Appeal to advise on the constitutionality of amendments to *The Marriage Act* enabling marriage commissioners to decline to perform marriages if to do so would be contrary to the marriage commissioners' religious beliefs. It is anticipated that the issue in Mr. Nichols' appeal will be determined by the opinion of the Court of Appeal with regard to the proposed amendments.

Whatcott v Saskatchewan (Human Rights Tribunal), Saskatchewan Court of Appeal, 25 February 2010

The Saskatchewan Human Rights Tribunal found that William Whatcott contravened the *Code's* limitations on hate speech when he delivered flyers to Regina and Saskatoon homes containing extreme speech against gay men and lesbians. Among other things, Mr. Whatcott's flyers said that children would be placed at risk if information about sexual orientation was provided in Saskatchewan schools. The Court of Queen's Bench upheld the Tribunal's decision, but the Court of Appeal allowed Mr. Whatcott's subsequent appeal. The Court of Appeal stated that the Tribunal and Court of Queen's Bench failed to give adequate consideration to the social context which existed when Mr. Whatcott distributed his flyers. The Court found that a proper balancing of freedom of expression, freedom of religion, and the *Code's* limitation on hate speech should take into account the public debate about including content on sexual orientation in school curriculums. The Court also said that the flyers did not communicate the level of emotion necessary to expose persons to a sufficient level of hatred that would warrant limiting Mr. Whatcott's right to freedom of expression.

Intervention at the Court of Appeal

In June 2009, the Government of Saskatchewan asked the Court of Appeal for advice on the constitutionality of two versions of proposed amendments to *The Marriage Act*. Both versions state that they will operate "Notwithstanding *The Saskatchewan Human Rights Code*." The first version of the proposed amendments allows marriage commissioners appointed prior to the legalization of same sex marriage to decline to solemnize marriages if to do so would be contrary to a marriage commissioner's religious beliefs. The second version is broader: it gives the right of refusal to all marriage commissioners, regardless of when they were appointed.

The Commission has applied and received leave to intervene to argue against the constitutionality of the proposed amendments. As argued in the *M.J.* case and upheld by the Court of Queen's Bench, the Commission's position is that marriage commissioners are acting as government agents when they provide the public service of solemnizing civil marriages. In these circumstances, their otherwise unrestricted right to religious freedom must be limited in order to avoid an infringement of the religious freedom and equality rights of persons seeking a civil marriage. The Court is expected to hear submissions on this issue in the spring of 2010.

Appeal to the Supreme Court of Canada

The Commission has applied to the Supreme Court of Canada for leave to appeal the *Whatcott* decision. It is seeking guidance from the court on the proper definition of "hate" to be applied in anti-discrimination legislation, and on the proper contextual factors to be considered when balancing freedom of religion and expression against the harm experienced by individuals who become targets for attack because of their innate, personal characteristics. The Commission anticipates that the Supreme Court will decide whether to grant leave by the fall of 2010.

Exemptions Summary

Section 48 of *The Saskatchewan Human Rights Code* gives the Chief Commissioner the authority to grant exemptions from the anti-discrimination provisions of the *Code* in situations where it is considered "necessary and advisable" to do so. The following examples reflect the kind of exemptions granted this year.

The Commission recognized some definite exemption trends this year.

Sex – preference to males in employment

12.5% of exemption orders allowed for preferential hiring of males. These orders generally allowed for gender balance in school or camp programming in order that male attendants could assist or supervise male youth. Approved exemption orders included:

- Staffing of a certain number of males in the Summer Fun program positions at the Military Family Resource Centre in Moose Jaw. A disproportionate number of females apply for these positions yet male staff are needed to deal with male youth for reasons that include security and safety related to washroom supervision while on field trips and to promote healthy attachment to male role models

- Staffing a male educational assistant at the Sunwest School Division to work with male students with disabilities in order that the students have positive interactions with their peers and the community and to promote human dignity connected to assisting with personal functions related to washroom supervision and assistance

- Hiring 2 male youth at the YWCA of Saskatoon summer day camp program in order to create a gender balance of staff so the camps can be inclusive for both boys and girls.

Collective agreements & personnel manuals addressing systemic issues

The Commission granted a number of exemptions to allow for implementation of agreed upon articles of operational collective bargaining agreements and/or the revision of personnel manuals. In the case of collective agreements, the articles were agreed upon in the bargaining process and premised on human rights principles. Updated personnel manuals also included changes requiring exemption orders, but based on human rights principles. Both of these trends indicate the progress we have made as a society. Approved exemption orders allowed for:

- Qu'Appelle Child and Family Services Inc. to update its personnel manual to reflect preferential hiring of Aboriginal persons. Rationale for the changes included the fact that, "the work of QCFS requires an in-depth knowledge of the interplay of community and tribal cultures in order to appropriately respond to and work with the child protection services issues that arise"

- Athabasca Catering Ltd. and its Union locals to implement clauses within the respective collective agreements at a number of mine sites that would allow for preferential policies related to persons of Aboriginal ancestry. These clauses recognize the systemic barriers faced by persons of Aboriginal ancestry in employment.

Preferential hiring persons of Aboriginal ancestry

The highest proportion of exemption orders continue to be for preferential hiring of persons of Aboriginal ancestry to work at Aboriginal organizations or in positions that serve persons of Aboriginal ancestry. Orders allowing for preferential hiring of persons of Aboriginal ancestry or First Nations included those for:

- The Saskatchewan Native Theatre Company (SNTC) for First Nations summer students to work as facilitators with the Performer's Playhouse Summer Mobile Camps. The rationale included providing First Nations summer students with valuable work experience to put them in better stead for future positions along with providing guidance and experience in cultural teachings

- Preferential hiring of persons of Aboriginal ancestry at the Aboriginal Affairs Coalition of Saskatchewan (AACS). The AACS provides services specifically to Aboriginal people from Saskatchewan. These services pertain to national capacity building initiatives and are in collaboration with the Congress of Aboriginal Peoples of Canada for Urban Aboriginal People

Exemption based on systemic barriers

- YWCA – Youth Eco Internship Program was granted an exemption allowing for preferential hiring of interns based on age (between ages 15-30) and potential preferential hiring based on disability, colour, ancestry, nationality, place of origin, race or perceived race, and receipt of public assistance. This employment program endeavours to tackle systemic barriers to employment faced by many people and groups in society and to provide youth with valuable work experience.

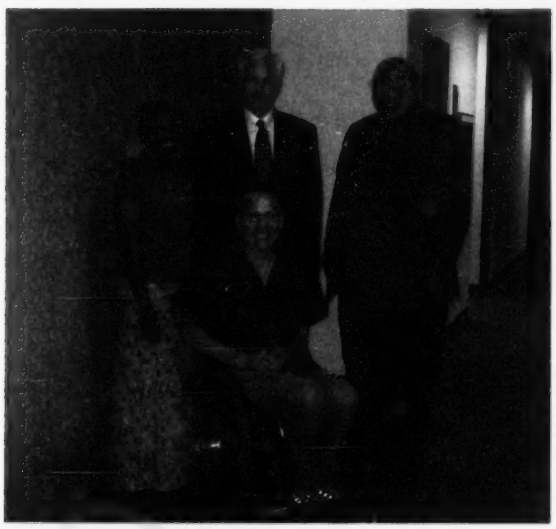
The Commissioners

Judge David Arnot, Chief Commissioner, received his Bachelor of Law degree in 1975 from the University of Saskatchewan and was called to the Bar in 1976 after articling with Mr. R. Dennis Maher, Q.C. in North Battleford. After practicing law as a Crown Prosecutor between 1976 and 1978, he was appointed Senior Crown Prosecutor for the Battlefords Judicial Centre. In 1981, he was appointed a Judge of the Provincial Court of Saskatchewan, sitting at North Battleford. In 1994, Judge Arnot accepted a secondment to the federal Department of Justice as Director General of the Aboriginal Justice Directorate. He was promoted to the position of Special Advisor to the Deputy Minister of Justice and Deputy Attorney General of Canada in May 1996. Judge Arnot was appointed by the federal government as Treaty Commissioner for the Province of Saskatchewan for a five-year term in 1997. His term was extended twice, once in 2002 and again in 2005. His work on the "Teaching Treaties in the Classroom Project" was specifically cited as a model for Canada by the United Nations Special Rapporteur on Racism in his 2004 report. In 2005, the Office of the Treaty Commissioner received the Canadian Race Relations Foundation biennial Award of Excellence for education programs in the public and government sector. Judge Arnot's final report to the Treaty Table in 2007 was the 246-page book "Treaty Implementation: Fulfilling the Covenant." He returned to the Provincial Court of Saskatchewan sitting in Saskatoon in April 2007. The Canadian Bar Association Saskatchewan Branch honoured him that year with the "Distinguished Service Award." Judge Arnot is the Past Chair of the Canadian Judges Forum, which is the judges' section of the Canadian Bar Association; a Past President of the Saskatchewan Provincial Court Judges Association, serving on the Association's executive from 1989 to 1994; and served as the Chair of the CBA Liaison Committee of the Canadian Association of Provincial Court Judges from 1992 to 1997. Judge Arnot has produced and directed a number of video education projects. He has been involved in education for the judiciary through the National Judicial Institute, the Western Judicial Education Centre, the Canadian Association of Provincial Court Judges, and the American Judges Association.

Deputy Chief Commissioner John C. Hill is a member of the Oneida Nation of the Thames near Southwold, Ontario. He received his LL.B. from the University of Saskatchewan and was called to the Bar in Saskatchewan in 1997. John has served as a senior advisor to the Saskatchewan Indian and Métis Affairs Secretariat on inter-jurisdictional and Aboriginal affairs, and assisted in the development of the provincial Aboriginal framework policy and the First Nations self-government policy. As well, he represented Saskatchewan as a negotiator in the tri-partite self-government negotiations with the Meadow Lake Tribal Council. A member of the Regina Bar Association, John practiced law with two private firms before establishing his own practice in 2004. He is recognized as a Mediator having completed the Saskatchewan justice program on mediation. He has represented a number of First Nations governments and individuals on governance, Treaty rights, economic development and residential school claims. John has also served as a sessional lecturer in Aboriginal Studies at the Saskatchewan Indian Federated College. Appointed to the Commission in July 2002, John was made Deputy Chief Commissioner in October 2003. He served as Chief Commissioner (Acting) from May through October 2007 and June 2008 through January 2009.

Judy White, Ph.D., is an associate professor with the Faculty of Social Work at the University of Regina's Saskatoon campus. Dr. White was born and raised in Trinidad. Judy is a member of the Social Justice Committee of the Saskatchewan Association of Social Workers, and is the Saskatchewan's 2009 recipient of the Canadian Association of Social Workers (CASW) National Social Work Award. She sits on the board of International Women of Saskatoon and is a member of the Board of Governors of the Prairie Metropolis Centre. Judy is also a board member and President Elect of the Canadian Research Institute for the Advancement of Women (CRIAW); and a board member of theVanier Institute of the Family. She is involved in collaborative work with other immigrant and refugee serving organizations. Dr. White was appointed to the Commission in February 2005.

Mike Bacon, who was born and raised in Saskatoon, graduated from the University of Saskatchewan with a Bachelor of Arts Honours degree in psychology in 1991. Mike is one of Saskatchewan's better known athletes and, although retired from the Canadian Wheelchair Rugby Team, remains on the Board of Directors for the Canadian Wheelchair Sports Association. He is also involved with AccessExperts Consultants, a business concentrating on accessibility audits, awareness training, and pre-employment training for persons with disabilities. In 2008 Mike became a Clean Air Champion for HSBC Clean Air Achievers. His role as a Champion is to help students from grades six to nine become engaged in active modes of transportation, like walking, biking, and blading, to help reduce greenhouse gas emissions and to gain a healthier lifestyle. Appointed to the Commission in 2003, Mike is also in demand as a speaker to Grade 6-12 students for Think First Saskatchewan, a foundation dedicated to preventing brain and spinal cord injury through education.



The Commission 2009-2010

Appendix A: Community Outreach & Partnerships

SHRC Seminars

Human Rights in the Workplace half-day seminars:
Estevan, Meadow Lake, Melfort, Moose Jaw
Kindersley, Regina & Swift Current

Educational Institutions & Organizations

Campbell Collegiate, Regina
Nutana Collegiate, Saskatoon (4)
Saskatchewan Institute of Applied Sciences and Technology – Saskatoon (2)
Saskatoon Indian Institute of Technology - Prince Albert campus
Saskatchewan Institute of Applied Sciences and Technology – Regina
Saskatchewan Institute of Applied Sciences and Technology – Moose Jaw (2)
University of Regina Women's Centre
University of Regina Seniors Education Centre
Women's and Gender Studies, University of Regina
Saskatchewan Police College
Miller High School - Regina

Professional Business & Labour Organizations

Flynn Canada
Global Infobrokers Incorporated
Golder Associates
Radisson Hotel
Saskatchewan Construction Safety Association
Saskatchewan Teachers Federation
Saskatchewan Trucking Association
Canadian Union of Public Employees (2)

Employers & Government

Yara Industries
Regina Community Clinic
Career & Employment Services, Ministry of Advanced Education, Employment & Labour
PACC Inmate Committee
Service Canada, Employment Equity Committee
Regina Police Service
Workers Compensation Board
Information Services Corporation
Cowessess First Nation
City of Regina
Regina Qu'Appelle Health Region
Ministry of Advanced Education Employment and Labour
Service Canada
Indian & Northern Affairs Canada
Sasktel Aboriginal Employees Network
First Nations and Inuit Health Board – Health Canada
Saskatchewan First Nations and Metis Relations
Canadian Broadcasting Corporation
Saskatchewan Environment
Crown Investments Corporation
Saskatchewan Government Insurance
SaskEnergy
SaskPower
Casino Regina
Saskatchewan Indian Gaming Authority
Employment Network – Regina
MicroAge Regina
Saskatchewan Liquor and Gaming Authority
Access Communications
Conexus Credit Union Regina
Ministry of Corrections, Public Safety & Policing – Paul Dojack Youth Centre
Saskatchewan Public Service Commission (3)
Staples Call Centre
Regina Inn

Community-Based Organizations

Regina Correctional Centre
Parkland Regional Library – Yorkton
Estevan Literacy Association – Estevan
Regina Open Door Society
Neil Squire Society - Regina
Saskatchewan Deaf and Hard of Hearing Association
Saskatchewan Association of Community Living
Canadian Paraplegic Association – Regina
YMCA – Regina
Sask Abilities Council - Regina
Canadian National Institute for the Blind
Saskatchewan Voice of People with Disabilities
Daughters of Africa Regina
Grandmothers 4 Grandmothers Regina
Aids Saskatoon
International Women of Saskatoon (3)
Iskwewuk E-Wichiwitochik
Aboriginal Grandmothers Caring for Grandchildren Regina
Amnesty International - Regina
Saskatchewan Intercultural Assocation (5)
Saskatoon Indian & Métis Friendship Centre
Saskatoon Open Door Society (6)
The Global Gathering Place
Multicultural Council of Saskatchewan
Saskatchewan Organization for Heritage Languages
Saskatchewan Association of Human Rights
Canada Heritage
Mackenzie Art Gallery
Saskatchewan Science Centre
Regina NAD Celebrations Inc.
South Sask. Independent Living Centre
Community Futures
Neil Squire Society Saskatchewan Abilities Council

Prairie Lily Feminists
Saskatchewan Council for International Cooperation
Saskatchewan Sisters in Spirit

Conferences and Forums

Aboriginal Government Employees Network (AGEN)
Canadian Association of Statutory Human Rights Agencies (CASHRA)
Confronting Poverty, Youth Speak Out
HIV, Disclosure and the Law Community Forum
Saskatoon Indian & Métis Friendship Centre
Welcome Home, Symposium on Emerging Trends in Immigration
Retirement Expo – Regina
Archbishop O'Neil High School Wellness Expo - Regina

Community Outreach

International Day for the Elimination of Racism - City of Saskatoon
International Human Rights Day (Regina & Saskatoon)
International Women's Day (Regina & Saskatoon)
Living in Harmony Awards, City of Saskatoon
National Aboriginal Day (Regina & Saskatoon)
Opening Ceremonies, Cultural Diversity & Race Relations Month, City of Saskatoon
Saskatoon Police Service Breakfast

National Affiliations

Canadian Commission for UNESCO
Canadian Municipalities Against Racism & Discrimination
Congress of Aboriginal Peoples (2)
National Aboriginal Achievement Foundation
Radio Canada

Appendix B: Equity Sponsors

Employers	Date Approved
City of Prince Albert	May 1997
City of Regina	February 1987
City of Saskatoon	February 1987
Community Health Services (Saskatoon) Association	Ltd. June 1996
Crown Investments Corporation	March 1995
Government of Saskatchewan	
Out of Scope	June 1987
Saskatchewan Government Employees Union	November 1988
Canadian Union of Public Employees	July 1989
John Howard Society of Saskatchewan	June 1996
Information Services Corporation of Saskatchewan	November 2004
Law Society of Saskatchewan	November 1999
MicroAge Regina	March 2009
Northlands College	September 1995
Parkland Regional College	March 2002
Prince Albert Co-operative Health Centre	October 1991
Regina Police Service	March 1992
Regina Public School Division	March 1994
Regina Women's Community Centre	March 1998
Saskatchewan Apprenticeship and	
Trade Certification Commission	March 2006
Saskatchewan Communications Network	February 1996
Saskatchewan Crop Insurance Corporation	May 1997
Saskatchewan Gaming Corporation	January 1999
Saskatchewan Government Insurance	February 1984
Saskatchewan Human Rights Commission	January 1980
Saskatchewan Institute of Applied	
Science & Technology (SIAST)	March 2001
Saskatchewan Legal Aid Commission	March 1994
Saskatchewan Liquor and Gaming Authority	January 1999
Saskatchewan Opportunities Corporation	November 1996
Saskatchewan Research Council	December 1992
Saskatchewan Teachers' Federation	January 1991
Saskatchewan Transportation Company	August 1994
Saskatchewan Water Corporation	August 1994
Saskatchewan Watershed Authority	August 1994
Saskatchewan Workers' Compensation Board	February 2006
Saskatoon Police Service	October 2002
SaskEnergy	March 1994
SaskPower	August 1995
SaskTel	October 1992
University of Regina	October 1997
University of Saskatchewan	September 1992

Pre-Kindergarten to Grade 12 School Divisions

Good Spirit
Greater Saskatoon Catholic Schools
Holy Trinity RCSSD
Horizon
Île-à-la-Crosse
Living Sky
Lloydminster RCSSD
North West RCSSD
Northern Lights
Prairie Valley
Prince Albert RCSSD
Regina RCSSD
Saskatchewan Rivers
Saskatoon
South East Cornerstone

(Approval dates are not given in this section, because the boundaries of many school divisions have been changed by the process of amalgamation.)

Tables

Table 1
Summary of Complaints Received April 1, 2009 to March 31, 2010 by Ground and Category
The total number of complaint files: 173

Category	Age	Aboriginal Ancestry	Other Ancestry[1]	Marital Status	Mental Disability	Physical Disability	Religion[2]	Sexual Harassment	Sex/Other	Sex/Pregnancy	Family Status	Sexual Orientation	Public Assistance	N/A	Relatiation	Total Grounds	Grounds Cited
Application Forms	0	0	2	0	0	1	0	0	0	0	1	0	0	0	0	4	1.8
Bill of Rights	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	2	.9
Contracts	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	.5
Education	0	0	2	0	0	6	0	0	0	0	0	0	0	0	0	8	3.6
Employment	9	4	43	1	0	68	5	12	5	13	4	3	1	1	0	169	76.8
Housing	0	0	0	0	0	2	0	0	0	0	1	0	0	0	0	3	1.4
Occupations	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	2	.9
Prof. & Trade Assoc.	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	.5
Public Services	2	4	3	0	2	8	1	0	1	1	1	0	0	0	0	23	10.5
Publications	0	0	0	0	0	0	0	0	1	1	0	2	0	0	0	4	1.8
Purchase of Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Trade Unions	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	.5
N/A	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	2	.9
Total Grounds	11	8	50	1	2	86	7	13	10	16	7	6	1	2	0	220	100%
% Grounds Cited	5.0	3.6	22.7	.5	.9	39.1	3.2	6.0	4.5	7.3	3.2	2.7	.5	.9	0		
%Total Complaints	6.4	4.6	33.5	.6	1.2	49.7	4.0	7.5	5.8	11.0	4.0	3.5	.6	1.2	0		

NOTE: Some complaints allege several kinds of discrimination. For this reason, the total number of grounds cited (220) exceeds the total number of complaints filed.

The total number of complaints filed in 2009/2010 was 173.

[1] Other Ancestry includes colour, nationality, place of origin and perceived race.

[2] Religion includes creed.

Table 2
Files Opened and Closed

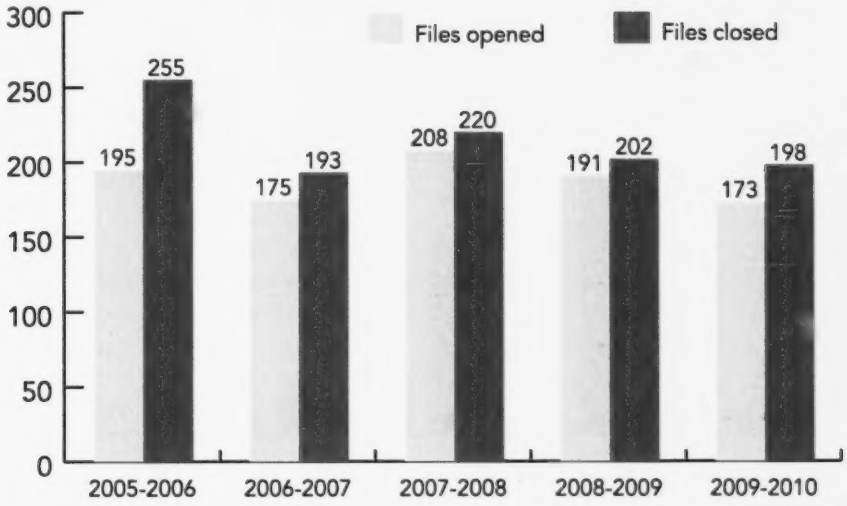


Table 3
Processing of Complaints

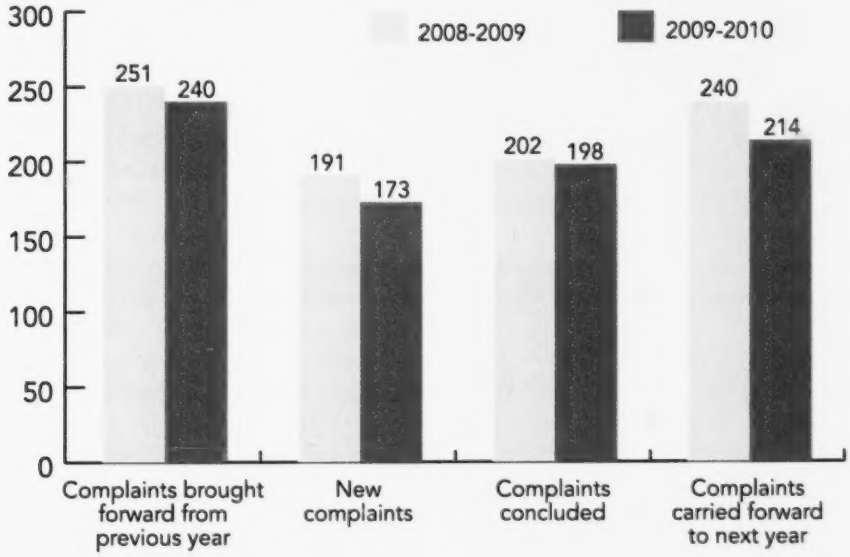


Table 4
Disposition of Complaint Files

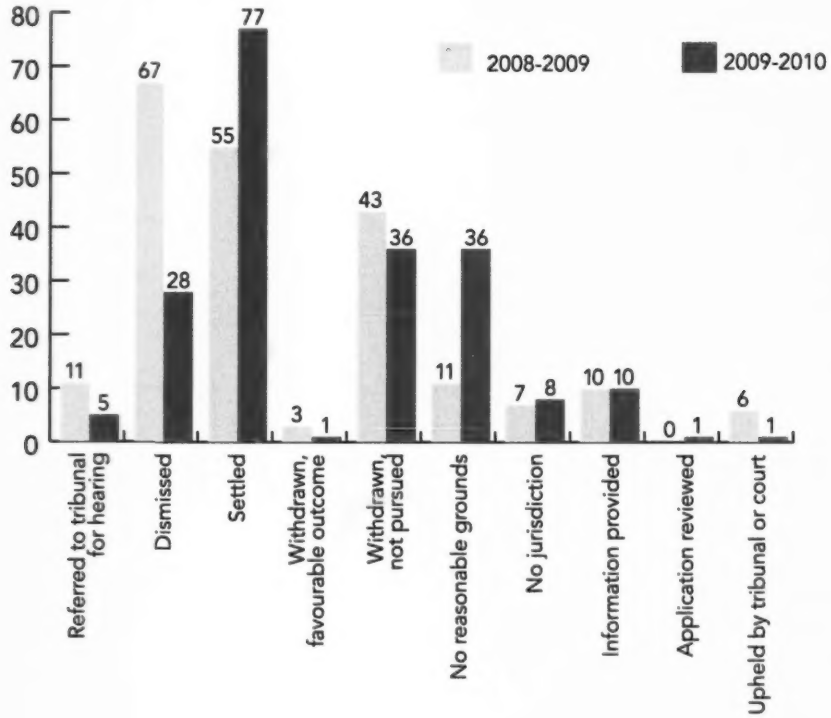


Table 5
Finances

	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
FTEs	20.3	20.3	20.3	20.3	20.3
Salaries, benefits and honouraria	$1,300,000	$1,382,000	$1,477,000	$1,564,000	$1,635,000
Operating expenses	$194,000*	$157,000*	$132,000	$133,000	$134,000
Total	$1,494,000	$1,539,000	$1,609,000	$1,697,000	$1,769,000

* includes $37,000 for the CASHRA conference

Commission Staff

Saskatoon

Laurie Adrian Rude – Investigator
Jan Cadman – Legal Secretary
Linda Charlton– Education & Equity Advisor
Lewanna Dubray – Investigator/Facilitator
Janice Gingell - Senior Staff Solicitor
Chantelle Johnson – Policy Analyst & Researcher
Dianne Jones – Reception Secretary
Ryan Kennedy – Investigations Secretary
Genevieve Leslie – Lawyer
Andrew Livingston - Investigator
*Marci Macomber - Investigator/Facilitator
Samantha Neil, Articling Student
Lorraine Pura – Education & Equity Advisor
Bill Rafoss – Supervisor of Mediations & Investigations
Fiji Robinson – Communications Coordinator
Carol Riekman – Investigator/Facilitator
Brenda Rorke – Human Resources Coordinator
Karen Ross – Commission Secretary
Sonne Udemgba – Investigator/Facilitator
Itemobong Umoh, Summer Student
Kathy Upton – Intake Consultant

Regina

Grace Ahl – Secretary
Holly Bressler - Investigator
Heidi Chan – Secretary
Laurena Daniels – Intake Consultant
Lisa Donovan – Reception Secretary
Sue Lake – Budget Coordinator
Rebecca McLellan – Manager of Operations
Robin McMillan – Investigator/Facilitator
Heather Monus – Education & Equity Advisor
Reginald Newkirk – Investigator/Facilitator
Julie Powell – Investigator/Facilitator

* On leave

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